

U.S. Patent Application Serial No. 10/680,412
Response filed June 9, 2006
Reply to OA dated March 13, 2006

REMARKS

Claims 1, 3 and 5 - 13 are currently pending in this patent application, claims 2 and 4 having been canceled without prejudice or disclaimer.

Claims 1, 3, 5 - 8, 12 and 13 have been amended in order to more particularly point out, and distinctly claim the subject matter to which the applicants regard as their invention. The applicants respectfully submit that no new matter has been added. It is believed that this Amendment is fully responsive to the Office Action dated March 13, 2006.

The Examiner has required a more descriptive title of the invention. The applicants have thus amended the title to one that is more descriptive of the applicants' claimed invention. The applicants respectfully request that the title of the invention, as amended, be approved by the Examiner.

The specification has been objected to due to certain informalities, which the Examiner deemed needed correction, as set forth in items 3 and 4, page 2 of the outstanding Action. The applicants respectfully request reconsideration of this rejection.

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The specification has been amended in order to correct certain informalities therein, including those pointed out by the Examiner. Accordingly, the withdrawal of the outstanding objections to the specification is in order, and is respectfully solicited.

At this time, the applicants thank the Examiner for now indicating that claims 2, 3 and 5 - 13 would be allowable if rewritten in the manner suggested in item 9, page 4 of the outstanding Action.

Claim 4 is rejected under 35 U.S.C. §112, second paragraph, as being indefinite for the reason set forth in the first full paragraph on page 3 of the outstanding Action. The applicants respectfully request reconsideration of this rejection.

As indicated above, claim 4 has been canceled without prejudice or disclaimer, and the subject matter thereof has been incorporated into claim 1. The language now included in amended claim 1 corrects the language previously objected to by the Examiner.

Accordingly, the withdrawal of the outstanding indefiniteness rejection under 35 U.S.C. §112, second paragraph, is in order, and is therefore respectfully solicited.

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As to the merits of this case, claims 1 and 4 are rejected under 35 U.S.C. §102(b) as being anticipated by Takekoshi (US Patent No. 5,600,619). The applicants respectfully request reconsideration of this rejection.

As indicated above, the allowable subject matter of claim 2 and the subject matter of claim 4 have been incorporated into independent claim 1. The structural arrangement now recited in claim 1 (i.e., the heat-radiation path (communication hole) open to a rotation surface of the optical recording medium, is not taught or suggested in any of the cited references. In Takekoshi, as pointed out by the Examiner, the upper row 30 merely represents a heat transfer path, which by no means opens to the surface of the optical recording medium.

In view of the above, since claim 1 now contain allowable subject matter, claim 1 is not now anticipated by Takekoshi. Also, claims 3 and 5 - 13 depend on claim 1, and further limit the scope of claim 1. Thus, at least for the reasons set forth above with respect to claim 1, claims 3 and 5 - 13 should now be similarly allowable.

Accordingly, the withdrawal of the outstanding anticipation rejection under 35 U.S.C. §102(b) based on Takekoshi (US Patent No. 5,600,619) is in order, and is therefore respectfully solicited.

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In view of the aforementioned amendments and accompanying remarks, claims, as amended, are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicants' undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper to Deposit Account No. 01-2340.

Respectfully submitted,

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